

Pannell, and Reed, 4; nays, none, Councilman Steck absent.

Councilman Mueller moved that the Council recess, subject to call of the Mayor, Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent,

The Council then recessed.

Approved:

W. M. Fadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 13, 1928.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of Eighteen Thousand Dollars (\$18,000.00) be and the same is hereby transferred from the Water & Light Fund and credited to the Street Improvement Bond Fund; this amount to be repaid the Water & Light Fund out of the proceeds from the sale of Street Improvement Bonds recently made.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be, and the same is hereby permitted to construct its pole lines in the following streets:

(1) On Annie Street from Drake Avenue to Newning Avenue, said pole line to be 8 feet south of the north line of Annie Street and parallel thereto.

Poles with guys are to be located as follows: A pole and guy on Annie Street, said pole to be 20 feet west of the west line of Drake Avenue and 8 feet south of the north line of Annie Street.

A pole and guy on Annie Street, said pole to be 13 feet south of the north line of Annie Street and 7.5 feet west of the east line of Newning Avenue.

A pole and guy on Annie Street, said pole to be 30 feet east of the east line of Newning Avenue and 13 feet south of the north line of Annie Street.

(2) On Newning Avenue from Annie Street to Terrace Drive, said pole line to be 7.5 feet west of the east line of Newning Avenue and parallel thereto. A pole with guy is to be placed 25 feet north of the north line of Terrace Drive and 7.5 feet west of the east line of Newning Avenue.

That the work and laying of said pole lines, including the excavation in the streets and the restoration and maintenance of said streets, curbs and walks after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Austin Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Austin Gas Company be, and the same is hereby permitted to lay and construct its gas mains in and under the following streets:

A 4 inch gas main on Cotton Street, beginning at a point 25 feet west of and 17 feet north of the intersection of the east line of San Bernard Street and the south line of Cotton Street;

Thence easterly along a line 17 feet distant from and parallel to the south line of Cotton Street to the west line of Angelina, said gas main to have a cover of not less than 1 1/2 feet.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE PROHIBITING
ANYONE FROM HAVING IN HIS
POSSESSION MARIHUANA, AND
PROVIDING A PENALTY.

The above ordinance was read the first time and Councilman Reed moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Mueller, and same prevailed.

by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Reed moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time, and Councilman Reed moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Judge Ike D. White was heard with reference to the protest of certain citizens living in the neighborhood of 4th and Fannin Streets against the undue switching of cars and the blowing of whistles by the Missouri Pacific Railway Company. Councilman Reed moved that the matter be referred to the City Manager for an investigation and report to the Council. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to purchase for the City of Austin, from G. S. Hamby and wife, 81 feet by 120 feet off the North ends of Lots Nos. 3 and 4, in Block 90, in the City of Austin, Travis County, Texas, which is meted and bounded as follows, to-wit: Beginning at the N. E. corner of said Lot No. 4; thence westerly with the S. line of the alley 120 feet to a fence for corner; thence southerly parallel with the E. and W. lines of said Lots, 81 feet to a fence for corner; thence easterly parallel with the N. and S. lines of said Lots, 120 feet to the East line of said Lot No. 4; thence northerly with the East line of said Lot No. 4, and the West line of East Avenue, 80 feet to the place of beginning, of the City of Austin, Travis County, Texas, for the cash consideration of \$4,750.00, conditioned that said parties shall deliver to the City a complete Abstract showing good and merchantable title in them to said property, and their General Warranty Deed conveying said property to the City, free from all liens and incumbrances; and

BE IT FURTHER RESOLVED, that the sum of \$4,750.00 be transferred from the Water & Light Fund to the General Fund, for the purpose of paying said consideration, and that a warrant for said amount be issued to said G. S. Hamby upon the performance of the above conditions; and, whereas, said property is being purchased for a public market site, said amount of money shall be repaid to the Water and Light Fund upon the collection of any proceeds from the sale of public market bonds, which have heretofore been authorized.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to purchase for the City of Austin, from Laura B. Bouchard and Henry Bouchard, Lots 7 and 8,

in Block 90, of the City of Austin, Travis County, Texas, for the cash consideration of \$4,750.00, conditioned that said parties shall deliver to the City a complete Abstract showing good and merchantable title in them to said property, and their General Warranty Deed conveying said property to the City, free from all liens and incumbrances; and

BE IT FURTHER RESOLVED, that the sum of \$4,750.00 be transferred from the Water & Light Fund to the General Fund, for the purpose of paying said consideration, and that a warrant for said amount be issued to said Eouchards upon the performance of the above conditions; and, whereas, said property is being purchased for a public market site, said amount of money shall be repaid to the Water & Light Fund upon the collection of any proceeds from the sale of public market bonds, which have heretofore been authorized.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none,

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to purchase for the City of Austin, from Burt Brydson, in Block 90, being Lots 5 and 6, and that part of Lots 3 and 4, described as follows, to-wit: Beginning at the S. E. corner of said Lot No. 4; thence Northerly fifty-nine (59) feet with the west margin of East Avenue; thence westerly one hundred and twenty (120) feet parallel to the north margin of East Seventh Street; thence southerly, fifty-nine (59) feet to the southwest corner of the tract hereby conveyed; thence easterly along the north line of East Seventh Street, one hundred and twenty (120) feet to the place of beginning, for the cash consideration of \$9500.00, conditioned that said party shall deliver to the City a complete Abstract showing good and merchantable title in them to said property, and their General Warranty Deed conveying said property to the City, free from all liens and incumbrances; and

BE IT FURTHER RESOLVED: That the sum of \$9,500.00 be transferred from the Water & Light Fund to the General Fund, for the purpose of paying said consideration, and that a warrant for said amount be issued to said Burt Brydson upon the performance of the above conditions; and, whereas, said property is being purchased for a public market site, said amount of money shall be repaid to the Water & Light Fund upon the collection of any proceeds from the sale of public market bonds, which have heretofore been authorized.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Austin Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Austin Gas Company be and the same is hereby permitted to lay and construct its gas mains in and under the following streets:

(1) A 4 inch gas main on Nellie Street beginning at a point on the west line of Hillside Avenue, said point being 19 feet north of the south line of Nellie Street.

Thence westerly along a line 19 feet distant from and as near parallel as practicable to the south line of Nellie Street to a point 50 feet west of the west line of Hillside Avenue, said main to be placed under all existing storm sewer structures at the intersection of Hillside Avenue and Nellie Streets, and to have a cover at all other points of not less than 1 1/2 feet.

(2) A 4 inch gas main on Salado Street, beginning at a point 16 feet south of and 15 feet west of the intersection of the east line of Salado Street and the north line of W. 28th Street.

Thence northerly along a line 15 feet distant from and parallel to the east line of Salado Street to the south line of W. 28th Street, said gas main to have a cover of not less than 1 1/2 feet.

This assignment places main 5 feet west of the east curb line.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A petition signed by a number of residents in the 300 and 400 block on East 18th Street, protesting against the closing of Neches Street between 18th Street bridge and the 400 block on 18th Street, was read. Councilman Reed moved that the petition be declined and that the curb line and grades on East 18th Street west of Neches Street, in front of the property belonging to Mrs. Jourgens, be established in accordance with the map of same as presented by the City Engineer, and that the City Attorney and City Engineer be authorized to prepare a resolution covering the matter, and present same to the Council at a later meeting. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: J. H. McFadden

Mayor.